

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SIEMENS INDUSTRY, INC.,

Plaintiff,

v.

SIPCO, INC.,

Defendant.

CIVIL ACTION NO. 1:10-CV-2478-JEC

**DECLARATION OF NAGENDRA SETTY IN SUPPORT OF
DEFENDANT SIEMENS INDUSTRY, INC.'S
EMERGENCY MOTION FOR PROTECTIVE ORDER**

Dated: May 2, 2012

Nagendra Setty
Georgia Bar No. 636205
George Kanabe
Georgia Bar No. 103906

SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP
Four Embarcadero Center 17th Fl.
San Francisco, CA 94111
Ph: 415-434-9100
Fax: 415-434-3947
nsetty@sheppardmullin.com
gkanabe@sheppardmullin.com

**ATTORNEYS FOR PLAINTIFF
SIEMENS INDUSTRY, INC.**

I, Nagendra Setty, declare as follows:

1. I am a partner with Sheppard, Mullin, Richter & Hampton LLP, attorneys of record for Plaintiff Siemens Industry, Inc. (“SII”) in this action.

Unless otherwise indicated, I have personal knowledge of the facts stated below.

2. In *IP Co., LLC v. Cellnet Technology, Inc. et al.*, N.D. Ga., No. 1:06-cv-03048-JEC, Plaintiff SIPCO, LLC (“SIPCO”) and its affiliate, IP Co., LLC, sued Cellnet Technology, Inc. (“Cellnet”) for infringement. I represented Cellnet in that case. During the course of the litigation, Cellnet was consolidated with two companies and became Landis+Gyr, Inc. (“L+G”), whom I continued to represent.

3. L+G’s involvement in the *IP Co., LLC* case ended following execution of a settlement agreement on May 15, 2009 (“L+G Settlement Agreement”), which is relevant to SII’s license defense in this action.

4. Although I represented L+G in that case, I did not handle the negotiations or drafting of the L+G Settlement Agreement, executed on May 15, 2009. Rather, L+G brought in Craig Roeder of Baker & McKenzie LLP to handle the settlement negotiations. It was Mr. Roeder, and not me, who negotiated and finalized the L+G Settlement Agreement in *IP Co., LLC*.

5. Siemens provided its responses and objections to SIPCO’s First Requests for Production, First Interrogatories, and First Requests for Admission on

April 12, 2012. Siemens supplemented its responses and objections to SIPCO's First Interrogatories and Requests for Admissions on April 30, 2012. Siemens produced responsive documents to SIPCO's First Requests for Production on each of April 20, April 24, and April 27, 2012.

6. **Exhibit 1** is a true and correct copy of SIPCO's Notice of Deposition of Nagendra Setty dated April 19, 2012.

7. **Exhibit 2** is a true and correct copy of SIPCO's Subpoena for deposition directed to Nagendra Setty dated April 20, 2012.

8. **Exhibit 3** is a true and correct copy of an email dated April 23, 2012, from Jessica Kattula, counsel for SIPCO, to George Kanabe and myself, counsel for SII.

9. **Exhibit 4** is a true and correct copy of SIPCO's Objections and Responses to SII's First Requests for Production of Documents dated April 12, 2012.

10. **Exhibit 5** is a true and correct copy of SIPCO's Initial Disclosures dated November 18, 2011.

11. **Exhibit 6** is a true and correct copy of SIPCO's First Amended Initial Disclosures dated April 17, 2012.

12. **Exhibit 7** is a true and correct copy of an email dated April 28, 2012, from Jessica Kattula, counsel for SIPCO, to myself and George Kanabe, counsel for SII.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed this 2nd day of May, 2012 at San Francisco, California.



Nagendra Setty

CERTIFICATE OF COMPLIANCE

In accordance with Local Rule 7.1D, the undersigned counsel hereby certifies that the foregoing was prepared using 14-point Times New Roman, in accordance with Local Rule 5.1.

/s/Nagendra Setty
Nagendra Setty

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Nagendra Setty
Nagendra Setty